

96TH CONGRESS
1ST SESSION

S. 446

To amend title VII of the Civil Rights Act of 1964 to prohibit discrimination against individuals because they are handicapped, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 22, 1979

Mr. WILLIAMS (for himself, Mr. JAVITS, Mr. RANDOLPH, Mr. PELL, Mr. LEVIN, Mr. MATSUNAGA, Mr. MELCHER, Mr. LEAHY, and Mr. RIEGLE) introduced the following bill; which was read twice and referred to the Committee on Human Resources.

A BILL

To amend title VII of the Civil Rights Act of 1964 to prohibit discrimination against individuals because they are handicapped, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Equal Employment Op-
4 portunity for the Handicapped Act of 1979".

5 SEC. 2. Section 701 of the Civil Rights Act of 1964 is
6 amended by adding at the end thereof the following:

1 “(1) The term ‘handicapping condition’ means the
2 status of any individual who—

3 “(A) has a physical or mental impairment
4 which substantially limits one or more of such
5 person’s major life activities;

6 “(B) has a record of such impairment; or

7 “(C) is regarded as having such an
8 impairment.

9 Such term does not include any individual who is an
10 alcoholic or drug abuser whose current use of alcohol
11 or drugs prevents such individual from performing the
12 duties of the job in question or whose employment, by
13 reason of such current alcohol or drug abuse, would
14 constitute a direct threat to property or the safety of
15 others.”.

16 SEC. 3. (a)(1) Section 703(a)(1) of the Civil Rights Act
17 of 1964 is amended by inserting immediately after the word
18 “sex” a comma and the words “handicapping condition”.

19 (2) Section 703(a)(2) of such Act is amended by insert-
20 ing immediately after the word “sex” a comma and the
21 words “handicapping condition”.

22 (b) Section 703(b) of such Act is amended by inserting
23 immediately after the word “sex” a comma and the words
24 “handicapping condition”.

1 (c)(1) Section 703(c)(1) of such Act is amended by in-
2 serting immediately after the word "sex" a comma and the
3 words "handicapping condition".

4 (2) Section 703(c)(2) of such Act is amended by insert-
5 ing immediately after the word "sex" a comma and the
6 words "handicapping condition".

7 (d) Section 703(d) of such Act is amended by inserting
8 immediately after the word "sex" a comma and the words
9 "handicapping condition".

10 (e) Section 703(e)(1) of such Act is amended by insert-
11 ing immediately after the word "sex" the first time it appears
12 a comma and the words "handicapping condition," and by
13 inserting after the word "sex" the second time it appears a
14 comma and the following: "absence of a particular handicap-
15 ping condition".

16 (f) Section 703(h) of such Act is amended by inserting
17 after the word "sex" both times it appears in the first sen-
18 tence of such subsection a comma and the words "handicap-
19 ping condition".

20 (g) Section 703(j) of such Act is amended by inserting
21 after "or group" the following: ", or because such individual
22 or the members of the group have a handicapping condition,"
23 and by inserting after "national origin" the second and third
24 time it appears the following: "or having a handicapping
25 condition,".

1 (h) The section heading of section 703 of such Act is
2 amended to read as follows:

3 "DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION,
4 SEX, HANDICAPPING CONDITION, OR NATIONAL ORIGIN"

5 SEC. 4. (a) Section 704(b) of the Civil Rights Act of
6 1964 is amended by inserting after the word "sex" each time
7 it appears in such subsection a comma and the words "handi-
8 capping condition".

9 (b) Section 706(g) of such Act is amended by inserting
10 after the word "sex" a comma and the words "handicapping
11 condition".

12 SEC. 5. (a) Section 717(a) of the Civil Rights Act of
13 1964 is amended by inserting after the word "sex" a comma
14 and the words "handicapping condition".

15 (b) Section 717(c) of such Act is amended by inserting
16 after the word "sex" a comma and the words "handicapping
17 condition".

18 SEC. 6. The amendments made by this Act shall take
19 effect July 1, 1980, or six months after the date of its enact-
20 ment, whichever is later.

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